App F IX 4

Previous References

1948-49
(ML)

File No 151-48
Serial Nos M 13

Later References
M163 52-1-4

GENERAL AND REVENUE SECRETARIAT

Serial Nos M One

p. 18

Part B for Nov '48

SUBJECT

Direct Correspondence by the Belgaum Town Municipal Councils with Govt

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To The R. Cs of Dists
" " Presidents of Town Municipal Councils
" " Comptroller to Govt
G O. No 2 5580-5650/D 24-11-48
Issues revised instructions

486

Direct Correspondence by the Sagar Town Municipal Council with Govt

—

From

The Dy Commr Shimoga Dt

No MJC 414/47 dt 21/31 5 48

Begs to notice three cases wherein the Sagar Town Municipal Council has directly Submitted proposals to Govt under Cops to him and States that the Copies have been filed by him awaiting orders

1) It rdte on the question of direct Correspondence between the Govt and the Municipalities has been Separately Submitted and orders thereon have not yet been passed

2) The D C Shimoga Dt in para two of his letter has touched upon the Consequences of permitting direct Correspondence by the Municipal Councils with Govt without previous an intermediate agency to check and Scrutinise individual Recommendations

3) The orders as now Standing

direct Correspondence by the Sagar Town rel at
ult Cash
provide for all Correspondence by the
Municipalities with the Cash to be
Carried through the D C of the
District except in very emergent
Cases and the action of the president,
Sagar Town Municipal Council in
having started direct Correspondence
with Govt before the issue of any
such instructions as ~~irregular and~~
~~objectionable~~ not Covered by the rules, as they stand at present

4) Subs for perusal and orders

Hon 14/6/48

5) What may happened to the three cases referred to in his letter

16/6/48

6) The proposal for Revision of the
Scales of pay in the Municipality has
been forwarded to the D C. the same
etc as 7 5 48 for verification of the
proposition Statement and Mark Relating
to the Revision of octroi has been
Scrutinised & the result is as 28 5 48
The proposal for the sanction of additional
allotment for the purchase of a Radio
set Receiver from the General Library to have

74-4/mk

A | Cases sent for issues on 20.5.48 Court
The papers are not traceable

6) Subs for orders.

No. 1876 P-1876 47 The Recorder will please trace & report up to 1876 48

P The Subs subscribed to the Recorder on 20 5 48

No 2876 P 22-6-48

9. for Instr. returning the file with Recorders of the Minister for LSG

P A to the Minister for LSG with WIC) 24/6/48

THE MINISTER FOR LOCAL SELF GOVERNMENT
No 3386
Date

To

Kind reference is invited to our (linked file) D 6789/mk and that the above file was sent to the Minister for LSG on 8 5 1948 The file is not traceable in this office The correct No of the file as well as the date on which it was sent to the Minister may kindly be intimated to enable this office to trace the file

Mr Mittal 14/7 Mr

Asstt Secy Incharge

4 Dir. correspondence by Sugar Town Municipality —

7834

11 Sub Sec will be filed if approved.

12 The DC's letter may perhaps be submitted for the perusal of the Minister for L.S.G.

For 16/7/45

Received 16/7/45

13 Proposal & orders

Minister L.S.G.

5/7/45

THE MINISTER OF LOCAL SELF GOVERNMENT
No 335
Date R85

18/7

18/7/45

14 The President Sugar Town M.C. was not in order in submitting the references referred to by the D.C. direct to Govt. before the issue of the G.O. in the matter. The may be intimated to the D.C. & the President. As regards other points raised by the D.C. the present G.O. issued on S.R. 48 will not suffice by the D.C. Therefore a supplementary G.O. will have to be issued embodying the following points:

1) The Deputy Commissioner concerned feels it desirable to interfere in any matters in the copy of the correspondence submitted to Govt. by the President M.C.C. of any Municipality he may examine the case & report the matter to Govt.

2) If the Govt. feel it desirable to consult the D.C. concerned on any subject on receipt of any correspondence from any Municipality, such subjects will necessarily be referred to the D.C. with connected records for his opinion

Sd/ 27/7/45

Direct Correspondence - City Sagar Town Municipality

15) Two drafts are put up for approval

Ans 17/8 Ver Pr 18 sec

new Dft Notfn

20 cc 24/8

16) put up a fair copy of the Draft G.O

24/8/48 Ex

Pl type

17) Type copy of the Dft G.O is put up for appl

Ans 25/8, Pr 25-8-48

18) ref para 16 supra

new Dft Notfn 26/8/48

2177 26/8

19) for perusal before issue

OFFICE OF THE MINISTER FOR LOCAL SELF GOVERNMENT
No 908 E&S

Secy) L.S.G 27/8/48

20) Why Item No 2 of my orders dated 27-7-48 has not been incorporated in the draft G.O

21) Verify & bring up 27/8/48

8/9

6

Direct Correspondence between Town Muni- Councils and Government

7434 Mul

22) The point made in para 2 of the Hunsur minute in para 14 was also included in the original draft but it was suggested that it might be deleted as it was an instruction for the guidance of the Secretariat Officer and it was felt, rightly need not form part of a G.O which is issuing to all the D.C's and the Presidents of Town Muni Councils

vide reverse of Flag O.

A

P. 29 45

23) The orders were referred to para 20 of Flag A supra.

Perused 3/9/48

24) A. I think this view appears to be correct and it is with this view that the above orders were not incorporated in the G.O.

OFFICE OF THE MINISTER FOR LOCAL SELF GOVERNMENT
No 1075 Bangalore
Date 2.9.48

3/9/48

3/9/48

25) The D C Shimoga approached me some other private matter to know for his opinion in connection with Sagar Municipality that he cannot form his opinion without the concerned records this matter to make clear to the Deputy Commissioners that the connected records will be sent to them when we call for their opinion That I wanted paper no 2 so clearly unless there is any technical objection, I tell you may incorporate it

5/9/48

7434/2d

7

Direct Correspondence between Town Municipal Council and Govt

26) The revised draft accompanying para 2 of the Municipal orders is put up for consideration

Mas 8/9/48 Pr 8 9 48

27) In approval

new regn for 8/9/48

28) Approved

13/9

Pr 13 9 48

29) This may be sent to the Registrar for arranging to multigraph the order and supplying 75 Copies (unstamped)

Pr 14 9 48

30) In favour of compliance

Registrar wee for 14/9/48

31) The pound cost, Town Municipal Council Sayar no 2769 of 16 9 48 252 48 Centage deductions

31) The file may now be sent to the Registrar for arranging to Multigraph the order and supplying 75 Copies (unstamped).

In favour of compliance — Para 29 supra

Registrar wee

Supdt of Records wee 11/11

Records 16 11 48 16/11/48

OK 10/11

Mas 9/11

8

7434/mls

Direct Correspondence Telegrams Town Hall As and Govt.

Govt No. L 5580-5650/mel 151-48-3 dg 6 issue

Issues Renewed cancellations

To

1) The Deputy Registrar
2) " Comptroller to Govt
3) Provincials dg Town Hall A's

R - 15/12/48

S.O.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

GENERAL AND REVENUE DEPARTMENTS

G O No L 293 303—Ml 176 47 1, dated 8th July 1948

Direct Correspondence with Government by the Presidents of Town Municipal Councils

Passes orders regarding ——

READ—

Government Order No 250 9—Ml 44 18 1 dated 3rd July 1918 laying down instructions in the matter of the correspondence by or with Municipal Councils not otherwise provided for in the Municipal Regulation of 1906

2 Government Order No L 2078 85—Ml 78 26 1 dated the 16th September 1926 authorising the submission direct to Government by the Presidents of the Town Municipal Councils in very urgent cases copies of their communications simultaneously with their transmission through the Deputy Commissioners of Districts and adding that the above instructions are in addition to those already issued in Government Order No 250 9—Ml 44 18 1 dated 3rd July 1918 on the subject

ORDER No L 293 303—ML 176 47 1, DATED BANGALORE, THE 8TH JULY 1948

In the Government Order dated 3rd July 1918 read above, it has been laid down, among other things, that correspondence between a Town Municipal Council and the Government or officers of Government should pass through the Deputy Commissioner of the District in which the Municipality is situated, the Deputy Commissioner recording his opinion thereon before its submission to Government

In very urgent cases, the Presidents of Town Municipal Councils are also authorised to forward direct to Government, copies of communications simultaneously with their transmission through the Deputy Commissioners of Districts under the Government Order of 16th September 1926 read above As it is observed that some delay has been occurring in the transmission of proposals through the Deputy Commissioners of Districts, Government are pleased, in modification of the existing procedure and under Section 204(2) (*j*) of the Mysore Town Municipalities Act, 1933, to authorise the presidents of Town Municipalities in the State to correspond direct with Government and to send simultaneously a copy of the communication to the Deputy Commissioner of the District concerned Correspondence with the Officers of Government and other departments will, however, be carried on through the Deputy Commissioners of the Districts concerned The present procedure in regard to the channel of communication between a Minor Municipal Council and the Government will, however, be continued as heretofore

Secretary to Government,
Revenue Department

To—The Deputy Commissioners of Districts
The Presidents of Town Municipal Councils
The Comptroller to Government

END—T N S

WD 88—GPB—855—14 7 48

No M3 c 414/47-48

Office of the Deputy Commissioner,
Shimoga District,
Shimoga, dated the 31st May 1948

From

The Deputy Commissioner,
Shimoga District,
Shimoga.

To

The Secretary to Government,
Revenue Department,
Bangalore.

Sir,

I have the honour to state that the President, Town Municipal Council, Sagar has addressed Government direct in respect of the marginally* noted subjects and has sent copies of the communications to this office. This he may have ~~may have~~ done on the general observations that the Minister for Local Self Government was pleased to make during his visit to Sagar that orders would be passed permitting direct correspondence between Government and Town Municipal Councils I have not taken any action on these references as they have been sent to me for my information only, without the connected papers. It is not known if Government have since passed orders permitting of direct correspondence between Presidents of Municipal Councils and Government, in which case there is nothing more for me to do except filing these references, pending orders of Government

1 Sanction of additional allotment for purchase of Radio set in H C 17/47-48 dated 16th April 1948

2. Re Revision of scales of pay of Municipal employees in No 40/47-48 dated 16 4 1948

3 Re Revision of Octroi and fresh ~~levy~~ levy of ~~action~~ octroi in H C 84/47-48 dated 16 4 1948.

How far such direct correspondence affects the statutory powers of control and supervision vested in the Deputy Commissioners under the Municipal Acts and tends to

p t o.

tends to centralise the same in Government without providing an intermediate agency to check and scrutinise the individual recommendations of the various Municipalities in the State is a matter, which Government have to deeply consider. I do not wish to discuss this at this stage, when Government seem to have come to certain decisions as was hinted at by the Minister for Local Self Government during his recent visit to Sagar. I have, however, filed the copies of letters received from the President for my information, awaiting orders of Government

I have the honour to be,
Sir,
Your most obedient servant.

Deputy Commissioner,
Shimoga District

ascs

3

No. L

2769

Dt — 16-9-48

The President Town Municipal

Sagar.

Sir

I am directed to state that

proposals on the marginally noted

subjects were submitted direct

to Govt and orders were passed

on them to avoid the delay

in referring them back to the

Dy Chief Secy for ascertaining

his views such a direct

submission before the issue of

G O no No. L 293-303/ml 176-47-1

dated 8-7-48 authorising the Pres

of Town Municipalities to correspond

correspond direct with Govt in a

deviation from the prescribed

4

procedure that was then to pursue
as he not quite as under Cost as
therefore Counsel is to observe that
the direct submission
the ~~procedure adopted~~ by you of the
above proposals in question was
~~both~~ if not ~~quite~~ in order

J. Lane Esq
for Registrar
Re 17/8

Rules. L.R. 2770.

Copy me to the D.C. Shewan Esq for
information with Reference to his
letter No. M 3 C. 414/107-48 D/31 S 48

R.O.
for Registrar
Re 17/8
Pr
18.8.48

G R S App F VI—G 2]

SUBJECT

75 Copies.

Diary No of letter replied to 7434/ml

Section

File No

Serial No

General and Revenue Secretariat

( )

the *194*

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 194

Signed by

Read— G o no L 250-9/ml 44-18-1 dated 3-7-1918 laying down instructions in the matter of the correspondence to be carried on with the Municipal Councils ~~and Bodies constituted for the Municipal Regulations of 1906~~,

2) G o no L 2078-85/ml 78-2 dated 16 9 1926 enclosing the submissions drawn to Govt ~~by the~~ by the president of the Town Municipal Council in very urgent Cases, Copies of their Communications, Financial Circulars with their transmission through the Asst Comrs of districts and

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette Kannada Part ?

~~Order thereon No~~

Stating
that the above enclosures are in
addition to those already issued
vide G O no 250-9/Jul 44-18-1
dt 3 7. 1918 on the Subject

2) G O no 1 893-303 /Jul 176-47-1
dated 8 7 48 authorising, in
modification of the previous procedure,
the presidents of Town Municipalities
in the State to correspond direct
with Govt and to send simultaneously
a copy of the Communication to the
D C of the district Concerned
order no 4

In Govt order dated 8-7-48 read above,
Correspondence direct with Govt by the presidents of Town Municipalities in the State was authorised to avoid the delay in the transmission of the proposals through the D C s of districts and to send simultaneously a copy of the Communication to the D C of the District Concerned to enable him to exercise the general supervision

List of Enclosures

was required to be sent simultaneously

Copied by

Examined by

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(*Continuation sheet draft form*)

and Control over the administration of the Town Municipality within his jurisdiction Apprehensions have however been expressed on certain quarters in Regard to the modified procedure of the Channel of Communication laid down in the G O referred to above and with a view to clarify matters, Govt are further pleased to ~~issue the following Subsidiary Instructions:—~~

direct that ~~of~~ on the copy of the Communication received from the President, Municipal Council in his A.C. Concerned Consider that the proposal Submitted to Govt by the President of the Town Municipal Council calls for his intervention, ~~he may~~ examine the case de-novo and Submit a Report to Govt for orders

he ~~shall~~ may intimate this fact same to the Govt ~~WP 0565 — 6,000 — 22,500 — 18-11-58~~ also

2) On Receipt of the proposals from the Prendergast & the Town Municipal Council Cork if they so desire, may refer the matter to the D.C. Concerned with the Connected Records for his opinion before passing any orders on the Subject

(In Cases where no reply is rec'd in the 6 weeks to issue the Ord)

Cork also observe that the Municipal Prendergast are in the habit of addressing the Secretary to the Rev. Secretary to the Local Authority Re 17 & 18 Vict. Reports

Municipal Prendergast are in the habit of addressing the Secretary to the Local Authority Re 17 & 18 Vict. Reports

This will be known and the necessary action in the appln. referred to will be communicated to them

In Cases where no reply is rec'd in the 6 weeks to issue the Ord)

To

1) the D.C.'s of the Circuit ✓

2) " Prendergast of Town Municipal Councils ✓

3) " Comptroller to Cork ✓

In appln for

(S-I No 125) 5580-5650/DNL 151-48-3. 9

15 cols

Proceedings of the Government of H H the Maharaja of Mysore

24/11/48
6-12-48

READ -

G O No L 250-9/M1 44-18-1 dated 3-7-1918 laying down instructions in the matter of the correspondence by or with the Municipal Councils

2 G O No L 2078-85/M1 78-26-1 dated 16-9-1926 authorising the submission direct to Government by the Presidents of the Town Municipal Councils in very urgent cases, copies of their communications, simultaneously with their transmission through the Deputy Commissioners of Districts and stating that the above instructions are in addition to those already issued in G O No 250-9/M1 44-18-1 dated 3-7-1918 on the subject

3 G O No L 293-303/M1 176-47-1 dated 8-7-1948 authorising, in modification of the previous procedure, the Presidents of Town Municipalities in the State to correspond direct with Government and to send simultaneously a copy of the communication to the Deputy Commissioner of the District concerned

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ORDER NO

Dated, Bangalore, the

In the Government Order dated 8-7-1948 read above, correspondence direct with Government by the Presidents of Town Municipalities ir the State was authorised to avoid ~~the~~ delay in the transmission of the proposals through the Deputy Commissioners of Districts and ~~a copy of the~~ Copies & Encl communications ~~was~~ were required to be sent simultaneously to the Deputy Commissioners of the Districts concerned to enable ~~him~~ them to exercise general supervision, and control ~~now~~ over the administration of the Town Municipalities within ~~their~~ jurisdiction Apprehensions have however been

~~have however been~~ expressed in certain quarters in regard to this modified procedure of ~~the channel of communication~~ Correspondence laid down in the G O referred to above ~~and~~ With a view to clarifying matters, Government are further pleased to direct, ~~that~~ as follows - (1) if on the copy of the communication received from the President, Town Municipal Council in his office, the Deputy Commissioner concerned considers that the proposal submitted to Government by the President of the Town Municipal Council calls for his intervention, he may intimate this fact to the Government immediately and examine the case de-novo and submit a ~~separate~~ report to Government for orders

Government also observe that the Municipal Presidents are in the habit of addressing the Ministers direct even in ordinary and routine matters and ~~desire~~ wish to impress upon them the desirability of avoiding such a course, save in exceptional cases

~~Govt~~, any reference
2) On Receipt of ~~the proposal~~ from the President of the Town Municipal Council, ~~Govt~~ may ~~if~~, if the circumstances of the case ~~already so require~~, Course Refer the matter to the D C concerned along ~~with the connected records~~ for his opinion, before passing ~~any~~ orders thereon

8/6/46
Revenue Secretary to Govt

To
The Deputy Commissionersof Districts
" Presidents of ~~District~~ Town Municipal Councils
" Comptroller to Government